IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3173 OF 2006
ALONGWITH
CRIMINAL APPLICATION NO.3183 OF 2006

Jayshree @ Kalyani Umesh Deshpande ....Applicant.

V/s

State of Maharashtra .....Respondent.

Mr. Prafulla B. Shah with Mr. Vivek Salunkhe & S.P. Hulyalkar for the applicant.

Mrs. M.H. Mhatre, APP for the State.

CORAM: V.M. KANADE, J.
DATE : 8th September, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. This is a second application for grant of bail. The applicant's earlier application was rejected by this Court by Order dated 02/03/2006. Liberty, however, was granted to the applicant to apply for bail in the event the trial is not over within six months. Pursuant to the liberty which is granted by this Court, after expiry of six months the present

application has been filed.

3. It is submitted that, so far, even the charge has not been framed and the trial is not likely to be over for quite some time. The only material against the present applicant is in the form of a statement of the co-accused. He has stated that the applicant was also involved in the conspiracy to commit murder of the deceased Mangesh.

4. The applicant is a married lady having two children. Earlier, an application was filed stating that she was suffering from various ailments. Considering the fact that the applicant is a lady and that the trial is not likely to be over in the near future and also in view of the fact that the applicant is in jail since last one year, in my view, keeping in view these circumstances, the applicant is entitled to be released on bail. However, stringent conditions will have to be imposed in order to ensure that the applicant does not tamper with the evidence.

5. Applicant, therefore, be released on bail in the sum of

Rs 10,000/- with one or two sureties in the like amount. Applicant, however, shall not enter the Pune City during the pendency of the trial except as and when she is required to attend the Court of Sessions, Pune. Applicant shall give her fresh address to the Superintendent of Jail before her release and shall report to the nearest Police Station from her new residence once in a month. Applicant shall not tamper with the evidence or threaten any of the witnesses. If any complaint is received to that effect, liberty is granted to the respondents to file an application for cancellation of bail. With these directions Criminal Application No.3173 of 2006 is disposed of.

6. In view of the order passed in the Criminal Application No.3173 of 2006, Criminal Application No.3183 of 2006 does not survive and is disposed of accordingly.

(V.M. KANADE, J.)